

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Meridian Capital Ventures, LLC,**

**Plaintiff,**

**v.**

**Case No. 2:16–mc–36**

**Capital City Energy Group, Inc.,**

**Judge Michael H. Watson**

**Defendant.**


**Magistrate Judge Jolson**

**ORDER**

On February 23, 2017, Magistrate Judge Jolson issued a Report and Recommendation ("R&R") in this case recommending the Court dismiss the case for failure to prosecute. R&R 2, ECF No. 40. The R&R advised the parties of their right to object pursuant to 28 U.S.C. § 636(b)(1) and warned the parties that a failure to do so would result in a waiver of their right to *de novo* review by the Undersigned as well as a waiver of their right to appeal a decision adopting the R&R. *Id.* at 2–3. The deadline for filing objections has passed, and none were filed. Accordingly, the Court **ADOPTS** the R&R and **DISMISSES** this case for failure to prosecute. Defendant's motion for judgment as a matter of law, ECF No. 37, is **DENIED AS MOOT**.

The Clerk shall enter judgment for Defendant and terminate this case.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**